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PTO/SB/29 (2/88)

## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable:

☐ **DUPLICATE**

Address to:

Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No.	98-370
First Named Inventor	Istvan Simon
Examiner Name	N. Ponomarenko
Group / Art Unit	2834
Express Mail Label No.	EL394336928US

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. § 1.53(d),  
(continued prosecution application (CPA)) of prior application number 09 / 136,820  
filed on Aug. 19, 1998, entitled: LIQUID POWER MACHINE

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before (or after) June 8, 1995.

**CPA NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to copies of, or information concerning, the prior application may be given similar access to copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request. 37 C.F.R. § 1.178(b).

1. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_  
under 37 C.F.R. § 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
  - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:  
.....
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

Adjustment date: 07/27/2001 DEVANS  
07/24/2001 AHONDAF1 00000053 09136820  
01 FC:231 -355.00 0P

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of Patents and Trademarks, Washington, D. C. 20231  
on July 19, 2001

(Date of Deposit)

Lori J. Larson

Name and Reg. No. of Attorney

Signature

Date of Signature

Express Mail No.  
EL394336928US

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 C.F.R. § 1.16(c) or (f))	19 -20*			x \$ _____ =	\$ _____
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b) or (f))	1 -3**			x \$ _____ =	\$ _____
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))				+ \$ _____ =	\$ _____
				BASIC FEE (37 C.F.R. § 1.16)	710.00
				Total of above Calculations =	
Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27 & 1.28).					355.00
* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.				TOTAL =	355.00

6. Small entity status:

- a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.  
b. ☒ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.  
c. ☐ Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 02 - 0184:

- a. ☒ Fees required under 37 C.F.R. § 1.16.  
b. ☒ Fees required under 37 C.F.R. § 1.17.  
c. ☐ Fees required under 37 C.F.R. § 1.18.

8. ☒ A check in the amount of \$ 800.00 is enclosed. (includes 3 month extension fee)  
9. ☒ Other: request for 3 month extension of time

**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

10. NEW CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

or ☐ New correspondence address below

Name	Gregory P. LaPointe				
	Bachman & LaPointe, P.C.				
Address	900 Chapel Street				
	Suite 1201				
City	New Haven	State	CT	Zip Code	06510
Country	U.S.A.	Telephone	(203) 777-6628	Fax	(203) 865-0297

11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
Name (Print Type)	Gregory P. LaPointe
Signature	
Registration No. (Attorney/Agent)	28495
Date	July 14, 2001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#20/Amendment  
DE/AmS  
7/25/01

Applicant : Istvan Simon      Docket No.: 98-370  
Serial No. : 09/136,820      Examiner : N. Ponomarenko  
Filed : August 19, 1999      Art Unit : 2834  
For : LIQUID POWER MACHINE

900 Chapel Street  
Suite 1201  
New Haven, CT 06510-2802

PRELIMINARY AMENDMENT

Hon. Commissioner of Patents and Trademarks  
United States Patent and Trademark Office  
Washington, D.C. 20231

Dear Sir:

Please amend the above-identified application as follows.

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IN THE SPECIFICATION

Please amend the specification as follows.

Page 1, before line 1 insert the following new section:

CROSS-REFERENCE TO RELATED APPLICATION

The instant application is a continuation of Application  
Serial No. 09/136,820, filed August 19, 1998.

B1